

Notice of Allowability

Application No.

10/823,537

Examiner

Vincent T. Tran

Applicant(s)

HSU, HSIEN-YUEH

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 8/14/07 and an interview conducted on 9/13/07.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

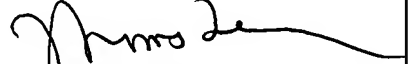
5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20070920.

7. ☐ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____


THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joe McKinney Muncy on September 19, 2007.

IN THE CLAIMS

Listing of Claims:

1. **(Currently Amended)** An apparatus for adjusting the system performance of a computer, fabricated on a motherboard, said apparatus comprising:

a plurality of performance monitor means, connected respectively to bus lines which are connected with devices mounted on said motherboard, for monitoring the operating state of each said device according to the flow rate of data transferred in said bus lines; and

a performance control chip, connected separately to said devices, for adjusting the operating rate of said devices responsive to said performance monitor means, said performance control chip being capable of ascertaining the operating state of each said device is busy or not, so as to increasing or decreasing the operating state of said device, and redeploy whole system resource shared by all devices by comparing the operating state of each said device.

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7 **(Currently Amended)** An apparatus for adjusting the system performance of a computer, fabricated on a motherboard, said apparatus comprising:

a plurality of counters, coupled respectively to the corresponding one of bus lines which are connected with devices, for measuring the flow rate of data transferred in each said bus line per unit time; and

a performance control chip, connected separately to said devices, being capable of ascertaining each said device is busy or not, so as to increasing or decreasing the operating rate of said device, and redeploy whole system resource shared by all said devices by comparing the state of each said device, said performance control chip comprising

a register, for storing predetermined flow rates of said devices;

a comparator, for comparing actual flow rates measured by said counter with said predetermined flow rate stored in said register, when said actual flow rate of one said device exceeds said predetermined flow rate thereof, said device is ascertained to be busy.

10. **(Currently Amended)** A method for adjusting the system performance of a computer, for monitoring the actual data flow rates of devices fabricated on a motherboard and adjusting the operating rates of said devices, said method comprising the steps of:

(1) executing a program to make one selected said device be in an operating state;

(2) measuring a flow rate of data of said selected device in said operating state;

(3) defining a predetermined flow rate of said selected device according to said flow rate of data measured in said step (2) to indicate said selected device is in a busy state;

repeating said steps (1)~(3) to define the predetermined flow rates of said devices fabricated on said motherboard;

measuring actual data flow rates of said devices on said motherboard;

when said actual data flow rate of one said device exceeds said predetermined flow rate thereof, promoting an operating rate of said device;

when said actual data flow rate of said device is less than said predetermined flow rate thereof, reducing the operating rate of said device; and

ascertaining operating rates of all said devices;

comparing the operating states of all said devices; and

redeploying whole system resource shared by all said device.

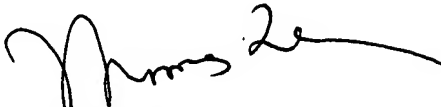
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent T. Tran whose telephone number is (571) 272-7210. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas c. Lee can be reached on (571) 272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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